

Applicant : Myra A. Lipes et al.
Serial No. : 09/770,601
Filed : January 26, 2001
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Attorney's Docket No.: 10276-015002

REMARKS

The present amendment places the application in condition for allowance or in better form for appeal. Applicants respectfully request entry and consideration of the present amendment and remarks under M.P.E.P. §714.12.

Claims 27, 28, 31, 64 and 80 are amended by the present amendment. The amendments are supported throughout the application and by original claim 29, now canceled. Claims 1-26, 29, 32-59, 62-63, 74-77, 83 and 84 are canceled without prejudice. Applicants reserve the right to pursue any of the canceled subject matter in one or more continuing applications. Upon entry of this amendment, claims 27, 28, 30, 31, 60, 61, 64-73, 78-82 and 85 will be pending.

Rejections Under 35 U.S.C. § 112

Claims 27, 28, 30, 31, 60-63, 73 and 75-85 are rejected for lack of enablement. The Examiner states that the application, "while being enabling for a method of producing insulin in a subject *in vivo*, does not reasonably provide enablement for a method of producing other proteins in a subject *in vivo*." This rejection has been addressed by amending the claims to reflect the Examiner's acknowledged scope of enablement. Claim 27 (the broadest claim) is limited to a method of producing insulin. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: August 11, 2003

for:


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